INDEX OF 1995 ARTICLES

Abandon the Billable Hour! ..... July/August .. 28
Alternative Dispute Resolution (ADR) in the '90s and Beyond – A View from the Neutral's Seat ..... Sept/Oct 45
Ambiguity, Summary Judgment, and *Erie* ..... March/April .. 22
Are Arbitrations Final? ..... November ... 18
Avoid Buying Trouble: Successor Liability for Products Manufactured Prior to Asset Acquisition ..... February 30
Avoiding Prosecutions ..... February 49
Bankruptcy Reform '94 – Something for Everyone ..... March/April .. 42
Billable Hour is Dead: Long Live...What? ..... December 12
Building Agreements: Term Sheets ..... November ... 47
Cancerphobia: The Fear and the Decision ..... March/April .. 30
CD-ROM for the New York Practitioner ..... November ... 36
Children's Centers in the Courts: A Service to Children, Families and the Judicial System ..... Sept/Oct 6
Clarifying Inclusion: The LRE Mandate in IDEA ..... November ... 14
Contractual Indemnification and New York Labor Law § 240 ..... July/August .. 40
Coping with Mental Disabilities in the Workplace ..... July/August .. 22
Copyright and Software: The Emerging International Consensus ..... May/June 8
Copyrights and Estates ..... Sept/Oct 43
Corporate Discovery Strategy in Complex Litigation ..... Sept/Oct 36
Corporate Lawyer/Corporate Director: A Compromise of Professional Independence .... November 6
Crack in the Antenuptial Shield, A: Antenuptial Agreements and Survivor Benefits from Qualified Retirement Plans ..... February 40
Computer-Sleuth: How to Find the Smoking Gun ..... November ... 29
Democracy and Terrorism ..... July/August ... 8
Discovery Under the Surrogate's Court Procedure Act: A Primer ..... March/April .. 64
Dollars and Cents of Lawyer Regulation, The ..... July/August .. 48
Enforcement of Patent Rights When Confronted with Foreign and Domestic Infringement ..... May/June 60
Environmental Audits for Real Estate Purchases ..... November ... 44
Estate Planning with Limited Liability Companies ..... December 38
Eye on Justice ..... February 8
Fair Use and Attorney's Fees: The Supreme Court Levels (or Tilts?) the Copyright Playing Field ..... February 44
Felony Hearing Process, The: Taking a Second Look ..... Sept/Oct 14
Four Estate Planning Devices to Get Excited About ..... January 32
Four Percent Solution to the "Judge's Nightmare," A ..... January 44
Garrity and *Mastrobuono*: A Continuing Tale of Two Cases ..... December 32
Growing Menace, The: Violence in the Workplace ..... January 24
If Both of Them Agree, What's the Problem? ..... Sept/Oct 47
Impact of the Temporary Employee on the Employer-Employee Relationship, The ..... March/April .. 26
Improving the Image of the Legal Profession ..... July/August .. 44
In Defense of Lawyers: A Commentary on the Proposed Uniform Disciplinary Rules ..... Sept/Oct 18
Independent Contractor or Employee? The Status of Medical Professionals Under the New York Unemployment Insurance Law ..... March/April .. 10
Insurance Coverage for Electric and Magnetic Field Claims ..... Sept/Oct 28
Intellectual Property and Content Providers ..... May/June 24
Intellectual Property Issues in Merges and Acquisitions ..... May/June 42
Intellectual Property Protection and Biotechnology ..... May/June 52
Intellectual Property Under the Bright Lights of Broadway ..... May/June 28
Inverse Condemnation ..... December 28
Jointly Held Property – A Summary ..... November ... 32
Justice, Fair Play and Equity in Divorce Actions ..... March/April .. 20
Know Your Escrow Rights: The Lawyer's Edition ..... March/April .. 71
Legal Norms for Regime Legitimation by International Organizations: The United Nations and Haiti ..... March/April .. 58
Leon v. Martinez: Attorney's Ethical Obligations to Their Clients' Creditors ..... November ... 40
London International Conference on Eminent Domain ..... November ... 31
Lying Down with the Lion: The Internal Revenue Service's Offer in Compromise Program ..... February 26
Model Rules and Litigation Journalism: Enough or Enough is Enough? ..... December 6
Morality is the Only Step to Professionalism ..... February 59
New Disclosure Requirements to Testators for Attorney/Draftspersons Who Serve as Executors ..... Sept/Oct 10
New York Joins the Battle Over Environmental Audit Reports ..... July/August .. 36
New York Law of Trade Secrets, The: A Practical Guide ..... May/June 32
New York State Legislative Changes Affecting Estate Planning – 1994 ..... January 37
New York State Limited Liability Partnerships ..... March/April .. 38
Overview of the Bankruptcy Reform Act of 1994 ..... November ... 10
Patents and Software ..... May/June 16
Perfecting Security Interests in Investment Property: 1994 Revisions to Articles 8 and 9 of the Uniform Commercial Code ..... January 66
Planning and Budgeting of Legal Services for Corporations by Outside Counsel; Report of Corporate Counsel Section ..... January 58
Pretext Without Precedent – Say Goodbye to the Fourth Amendment ..... January 40
Professionalism in the 90's ..... March/April .. 75
Prudent Investor Act: Its Effect on Investors ..... July/August .. 12
Purchase of Real Estate for Investment by Tenants in Common ..... February 60
Put the Lens Cap Back on Cameras in the Courtroom: A Fair Trial is at Stake ..... January 6
QTIPping Qualified Plan and IRA Distributions; Report of Committee on Life Insurance and Employee Benefits ..... January 53
Recent Developments Concerning Limited Liability Companies ..... Sept/Oct 50
Riding the Whirlwind ..... January 13
Rush to Judgment: The (Dis)Incentive to Settle Personal Injury Settlements ..... March/April .. 52
Selecting and Protecting Trademarks ..... May/June 48
Should Gun Manufacturers Be Liable for the Long Island Railroad Tragedy ..... December 16
Simplified Information v. Information: An Unconstitutional Standard? ..... December 20
Sometimes Plain Vanilla is Best: The Impact of Chapter 14 on Family Limited Partnerships and Limited Liability Companies ..... November ... 50
Stable Door is Open, The: New York's Statutes to Protect Farm Land ..... February 36
Statutory Short Form Powers of Attorney ..... July/August .. 18
Supplemental Needs Trusts for Disabled Persons ..... July/August .. 32
Uniform Commercial Code for International Sales?, A We Have It Now ..... January 20
Uninsured and Underinsured Motorist Coverage in 1994 ..... November ... 24
Unresolved Tension Between the 1979 Amendments to the BCL and Shareholder Agreements in Close Corporations, The ..... February 16

INDEX OF 1995 ARTICLES

Abandon the Billable Hour! ..... July/August .. 28
Alternative Dispute Resolution (ADR) in the '90s and Beyond – A View from the Neutral's Seat ..... Sept/Oct 45
Ambiguity, Summary Judgment, and *Erie* ..... March/April .. 22
Are Arbitrations Final? ..... November ... 18
Avoid Buying Trouble: Successor Liability for Products Manufactured Prior to Asset Acquisition ..... February 30
Avoiding Prosecutions ..... February 49
Bankruptcy Reform '94 – Something for Everyone ..... March/April .. 42
Billable Hour is Dead: Long Live...What? ..... December 12
Building Agreements: Term Sheets ..... November ... 47
Cancerphobia: The Fear and the Decision ..... March/April .. 30
CD-ROM for the New York Practitioner ..... November ... 36
Children's Centers in the Courts: A Service to Children, Families and the Judicial System ..... Sept/Oct 6
Clarifying Inclusion: The LRE Mandate in IDEA ..... November ... 14
Contractual Indemnification and New York Labor Law § 240 ..... July/August .. 40
Coping with Mental Disabilities in the Workplace ..... July/August .. 22
Copyright and Software: The Emerging International Consensus ..... May/June 8
Copyrights and Estates ..... Sept/Oct 43
Corporate Discovery Strategy in Complex Litigation ..... Sept/Oct 36
Corporate Lawyer/Corporate Director: A Compromise of Professional Independence .... November 6
Crack in the Antenuptial Shield, A: Antenuptial Agreements and Survivor Benefits from Qualified Retirement Plans ..... February 40
Computer-Sleuth: How to Find the Smoking Gun ..... November ... 29
Democracy and Terrorism ..... July/August ... 8
Discovery Under the Surrogate's Court Procedure Act: A Primer ..... March/April .. 64
Dollars and Cents of Lawyer Regulation, The ..... July/August .. 48
Enforcement of Patent Rights When Confronted with Foreign and Domestic Infringement ..... May/June 60
Environmental Audits for Real Estate Purchases ..... November ... 44
Estate Planning with Limited Liability Companies ..... December 38
Eye on Justice ..... February 8
Fair Use and Attorney's Fees: The Supreme Court Levels (or Tilts?) the Copyright Playing Field ..... February 44
Felony Hearing Process, The: Taking a Second Look ..... Sept/Oct 14
Four Estate Planning Devices to Get Excited About ..... January 32
Four Percent Solution to the "Judge's Nightmare," A ..... January 44
Garrity and *Mastrobuono*: A Continuing Tale of Two Cases ..... December 32
Growing Menace, The: Violence in the Workplace ..... January 24
If Both of Them Agree, What's the Problem? ..... Sept/Oct 47
Impact of the Temporary Employee on the Employer-Employee Relationship, The ..... March/April .. 26
Improving the Image of the Legal Profession ..... July/August .. 44
In Defense of Lawyers: A Commentary on the Proposed Uniform Disciplinary Rules ..... Sept/Oct 18
Independent Contractor or Employee? The Status of Medical Professionals Under the New York Unemployment Insurance Law ..... March/April .. 10
Insurance Coverage for Electric and Magnetic Field Claims ..... Sept/Oct 28
Intellectual Property and Content Providers ..... May/June 24
Intellectual Property Issues in Merges and Acquisitions ..... May/June 42
Intellectual Property Protection and Biotechnology ..... May/June 52
Intellectual Property Under the Bright Lights of Broadway ..... May/June 28
Inverse Condemnation ..... December 28
Jointly Held Property – A Summary ..... November ... 32
Justice, Fair Play and Equity in Divorce Actions ..... March/April .. 20
Know Your Escrow Rights: The Lawyer's Edition ..... March/April .. 71
Legal Norms for Regime Legitimation by International Organizations: The United Nations and Haiti ..... March/April .. 58
Leon v. Martinez: Attorney's Ethical Obligations to Their Clients' Creditors ..... November ... 40
London International Conference on Eminent Domain ..... November ... 31
Lying Down with the Lion: The Internal Revenue Service's Offer in Compromise Program ..... February 26
Model Rules and Litigation Journalism: Enough or Enough is Enough? ..... December 6
Morality is the Only Step to Professionalism ..... February 59
New Disclosure Requirements to Testators for Attorney/Draftspersons Who Serve as Executors ..... Sept/Oct 10
New York Joins the Battle Over Environmental Audit Reports ..... July/August .. 36
New York Law of Trade Secrets, The: A Practical Guide ..... May/June 32
New York State Legislative Changes Affecting Estate Planning – 1994 ..... January 37
New York State Limited Liability Partnerships ..... March/April .. 38
Overview of the Bankruptcy Reform Act of 1994 ..... November ... 10
Patents and Software ..... May/June 16
Perfecting Security Interests in Investment Property: 1994 Revisions to Articles 8 and 9 of the Uniform Commercial Code ..... January 66
Planning and Budgeting of Legal Services for Corporations by Outside Counsel; Report of Corporate Counsel Section ..... January 58
Pretext Without Precedent – Say Goodbye to the Fourth Amendment ..... January 40
Professionalism in the 90's ..... March/April .. 75
Prudent Investor Act: Its Effect on Investors ..... July/August .. 12
Purchase of Real Estate for Investment by Tenants in Common ..... February 60
Put the Lens Cap Back on Cameras in the Courtroom: A Fair Trial is at Stake ..... January 6
QTIPping Qualified Plan and IRA Distributions; Report of Committee on Life Insurance and Employee Benefits ..... January 53
Recent Developments Concerning Limited Liability Companies ..... Sept/Oct 50
Riding the Whirlwind ..... January 13
Rush to Judgment: The (Dis)Incentive to Settle Personal Injury Settlements ..... March/April .. 52
Selecting and Protecting Trademarks ..... May/June 48
Should Gun Manufacturers Be Liable for the Long Island Railroad Tragedy ..... December 16
Simplified Information v. Information: An Unconstitutional Standard? ..... December 20
Sometimes Plain Vanilla is Best: The Impact of Chapter 14 on Family Limited Partnerships and Limited Liability Companies ..... November ... 50
Stable Door is Open, The: New York's Statutes to Protect Farm Land ..... February 36
Statutory Short Form Powers of Attorney ..... July/August .. 18
Supplemental Needs Trusts for Disabled Persons ..... July/August .. 32
Uniform Commercial Code for International Sales?, A We Have It Now ..... January 20
Uninsured and Underinsured Motorist Coverage in 1994 ..... November ... 24
Unresolved Tension Between the 1979 Amendments to the BCL and Shareholder Agreements in Close Corporations, The ..... February 16

INDEX OF 1995 AUTHORS

Afsharnik, Miles ..... December 20
Altreuter, William C. ... July/August ... 40
Anderson, Eugene R. ... Sept/Oct 28
Atnally, Edward V. .... July/August ... 12
Banks, Glen ..... February 16
Bashian, Gary E. ..... March/April ... 64
Battersby, Gregory J. ... May/June 28
Becker, Joseph D. ..... March/April ... 22
Beeching, Charles T., Jr. December 12
Bellus, Stewart J. ..... Sept/Oct 47
Bender, David ..... May/June 16
Barryman, John ..... November 20
Borrok, Peter A. ..... January 32
Brown, Peter ..... May/June 24
Carp, Gerald I. ..... Sept/Oct 10
Carroll, Darren J. ..... January 24
Caley, Steven P. ..... February 30
Carrey, Bernard S. ..... November 6
Chesler, Lawrence ..... Sept/Oct 28
Cotrona, M. Robyn ..... February 40
Cramer, Edward M. .... Sept/Oct 43
Cundiff, Victoria ..... May/June 32
Dachs, Jonathan A. ..... November 24
DiBlasi, John P. ..... Sept/Oct 14
DiLorenzo, Louis P. .... January 24
El-Ayouty, Yassin ..... March/April ... 58
Enea, Anthony J. ..... March/April ... 64
Falk, Edward ..... January 53
Fasano, Henry R. ..... January 40
Franklin, Kathleen M. .. January 53
Gerhart, Peter M. ..... January 13
Goldfarb, David ..... July/August ... 32
Gorney, Carole ..... December 6
Haig, Robert L. ..... Sept/Oct 36
Hancock, Stewart F., Jr. . January 20
Hanushek, Eric A. ..... March/April ... 52
Hollander, Paul M. ..... March/April ... 42
Hudis, Jonathan ..... February 44
Kaczmarski, Karen R. .. Sept/Oct 18
Kaye, Judith S. ..... Sept/Oct 6
Kehoe, Sharon M. ..... November 14
Kolaga, John T. ..... July/August ... 36
Klump, Robert A. ..... March/April ... 10
Lacher, Stephen J. ..... Sept/Oct 45
Lamphear, Wendy H. ... July/August ... 44
Lassiter, Christo ..... January 6
Lavner, Steven ..... July/August ... 18
Liotti, Thomas F. ..... January 40
February 49
Luppi, Maxa ..... Sept/Oct 28
Magner, Philip H., Jr. ... Sept/Oct 18
Marshall, John P. ..... Sept/Oct 36
McKenna, Patrick J. .... January 44
Meyer, Howard ..... November 29
Miller, Frederick ..... March/April ... 71
July/August ... 48
Miner, Roger J. ..... February 8
Minkoff, Ronald C. .... November 40
Musselman, Francis H. .. July/August ... 28
Neft, Rhonda Shear .... November 44
Nolon, John R. ..... February 36
Nordlinger, Alan ..... November 20
Normile, John J. ..... May/June 60
Oman, Ralph ..... May/June 8
Ormsten, Franklin D. ... December 32
Oved, Terrance A. ..... March/April ... 38
Palladino, Vincent N. ... May/June 48
Parisi, Matthew G. ..... March/April ... 30
Parker, Michelle ..... July/August ... 40
Pechman, Louis ..... July/August ... 22
Peckham, Eugene E. .... November 20
Pennington, Catherine .. November 35
Premutico, Mauro ..... May/June 42
Reine, Barry D. ..... May/June 60
Riback, Stuart M. ..... November 18
Richmond, Susan Mills . November 10
Rikon, Michael ..... December 28
Rothberg, Richard S. ... December 38
Rubinstein, Joshua A. ... January 37
Schlesinger, Sanford J. .. July/August ... 18
Sept/Oct 10
Schorr, R. Damien ..... November 44
Searles, Sidney Z. ..... November 31
Seide, Rochelle K. ..... May/June 52
Siviglia, Peter ..... January 66
February 60
November 47
Skwiersky, Barry Jay ... Sept/Oct 14
Smith, Frank A. ..... May/June 52
Sommer, Evelyn M. .... May/June 42
Stack, Gerald F. ..... Sept/Oct 50
Stivison, David V. ..... July/August 8
Stone, Nancy R. ..... July/August ... 32
Tarasi, Louis M., Jr. .... February 59
Tenney, John R. ..... March/April ... 20
Traylor, Robert A. ..... February 26
Valentino, John L. ..... March/April ... 26
Vilensky, Robert ..... December 16
Wagner, Robert H. ..... March/April ... 75
Wolkoff, Michael J. .... March/April ... 52
Yard, Theresa I. ..... February 30

THE NEW YORK BAR FOUNDATION

1995-1996 OFFICERS

Charles E. Heming
President
19th Floor, 711 Third Avenue
New York, NY 10017

Maryann Saccomando Freedman
Vice-President
528 Brisband Avenue
Buffalo, NY 14203

William J. Carroll
Secretary
One Elk Street, Albany, NY 12207

Christine Beshar
Treasurer
Worldwide Plaza
825 Eighth Avenue, NY, NY 10019

DIRECTORS

Richard J. Bartlett, *Glens Falls*
John P. Bracken, *Islandia*
Angelo T. Cometa, *New York City*
Maxine K. Duberstein, *Brooklyn*
Maryann Saccomando Freedman, *Buffalo*
Emlyn I. Griffith, *Rome*
Jules J. Haskel, *Mineola*
Charles E. Heming, *New York City*
Lawrence E. Lagarenne, *Monticello*
Robert L. Ostertag, *Poughkeepsie*
Maxwell S. Pfeifer, *Bronx*
Joshua M. Pruzansky, *Smithtown*
M. Catherine Richardson, *Syracuse*
Justin L. Vigdor, *Rochester*
G. Robert Witmer, Jr., *Rochester*

JOURNAL BOARD MEMBERS EMERITI

As a tribute to their outstanding service to our Journal, we list here the names of each living editor emeritus of our Journal's Board.

Richard J. Bartlett
Hon. Francis Bergan
Coleman Burke
John C. Clark, III
Roger C. Cramton
Robert W. Dettor
H. Glen Hall
Charles F. Krause
Philip H. Magner, Jr.
Wallace J. McDonald
J. Edward Meyer, III
J. Boyd Mullan
Robert J. Smith
Lyman M. Tondel, Jr.
Lawrence E. Walsh